

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

GREGORY SMYTH,)	
Petitioner,)	
)	Criminal Action No. 3:07-cr-00010
v.)	
)	By: Hon. Michael F. Urbanski
UNITED STATES OF AMERICA,)	United States District Judge
Respondent.)	

ORDER

For the reasons set forth in the accompanying Memorandum Opinion entered this day, Gregory Smyth's oral motion to dismiss his habeas petition (Dkt. # 507) is **GRANTED**, Smyth's § 2255 petition (Dkt. # 393) is **DISMISSED**, and this case is **STRICKEN** from the active docket of the court.

The Clerk is **DIRECTED** to send copies of this Order to counsel of record.

Entered: August 29, 2011

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge